

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 08-880-US12)

In re the Application of:)	
)	
David C. Gelvin et al.)	Examiner: Adnan M. Mirza
)	
Serial No. 09/680,608)	Confirmation No. 9581
)	
Filed: October 4, 2000)	Art Unit: 2445
)	
For: Method for Remote Access of Vehicle)	
Components)	

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT

Applicant files this request to give the Office a full opportunity to reconsider the patent term adjustment (PTA) for the above-captioned patent application as Applicant believes in good faith that the current 595 days of PTA may not correctly account for Applicant Delay for at least the reasons mentioned herein. Applicant believes no fees are due, but authorizes the Office to charge any required fees associated with this request to Deposit Account No. 132490.

Applicant requests the Office reconsider the PTA for at least two sets of events:

I. On December 7, 2009, Applicant filed a response with a Request for Continued Examination (RCE). On December 16, 2009, the Office mailed a notice of non-compliant amendment. On January 11, 2010, Applicant filed a compliant response.

Regarding these events, the PTA calculation on PAIR indicates no Applicant or Office Delay. However, the PTA calculation appears not to account for the notice of non-compliant amendment and subsequent response. Under 37 C.F.R. § 1.704(c)(7), 35 days of Applicant Delay may have accrued during the interval of December 7, 2009 to January 11, 2010.

II. On May 28, 2010, Applicant filed an RCE and an Information Disclosure Statement (IDS). Subsequently, Applicant filed IDSs on June 15, 2010 and June 28, 2010.

Regarding these events, the PTA calculation on PAIR indicates no Applicant or Office Delay. However, the IDS filed on June 28, 2010 may be a supplemental reply under 37 C.F.R. §

1.704(c)(8). If the IDS filed on June 28, 2010 is indeed a supplemental reply, 31 days of Applicant Delay may have accrued during the interval of May 28, 2010 and June 28, 2010.

In total, Applicant believes that 66 additional days of Applicant Delay may have accrued. Thus, Applicant believes in good faith that the PTA may need to be decreased from the current 595 days to **529** days.

Respectfully submitted,

**McDonnell Boehnen
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Date: November 1, 2010

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